

AN ORDINANCE OF WALTON COUNTY, FLORIDA, ADOPTING A FUTURE LAND USE MAP AMENDMENT TO THE WALTON COUNTY COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION; AMENDING THE FUTURE LAND USE MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, Chapter 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Walton County Planning Commission and Board of County Commissioners have held several public workshops, public meetings, and public hearings with due public notice and received public comments concerning the subject map amendment to the Comprehensive Plan; and

WHEREAS, after due public notice, the Walton County Board of County Commissioners held a transmittal hearing on September 28, 2010 and October 4, 2010 and transmitted the proposed amendment to the Department of Community Affairs as the State Land Planning Agency and provided a copy to other state and regional agencies as required by Chapter 163, Part II, Florida Statutes; and

WHEREAS, on December 14, 2010, the Department of Community Affairs issued its Objections, Recommendations, and Comments Report to the proposed comprehensive plan amendments for Walton County (DCA 10-1ER); and

WHEREAS, the Walton County Board of County Commissioners held an adoption hearing on March 1, 2011, for the proposed amendments to its comprehensive plan, including the subject amendment, in accordance with the requirements of Section 163.3184, Florida Statutes, with due public notice having been provided; and

WHEREAS, the Walton County Board of County Commissioners considered all oral and written comments received during such public hearings, including the data and analyses provided for this amendment, the recommendations of the Planning Commission, and the Objections, Recommendations, and Comments Report of the Department of Community Affairs and subsequent Response by Walton County, and

WHEREAS, in the exercise of its authority, the Walton County Board of County Commissioners has determined that the adoption of this amendment is in the best interest and welfare of the residents of Walton County; and

WHEREAS, this ordinance shall be considered a final order as required in Section 10.03.03 of the Walton County Land Development Code;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, Florida, as follows:

SECTION I: PURPOSE AND INTENT.

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II: FUTURE LAND USE MAP AMENDMENT.

The Board of County Commissioners hereby adopts the following amendment to the Future Land Use Map of the Walton County Comprehensive Plan, as amended, which is attached hereto as Exhibit "A", and incorporated herein by reference as a part hereof, being an amendment to the Future Land Use Map:

FINDINGS OF FACT: The Board of County Commissioners finds as follows:

1. The applicants name and address is:

Walton County Board of County Commissioners
76 North 6th Street
DeFuniak Springs, FL 32433

2. Amendment Number 10-004 and 10-003: Amend the adopted Future Land Use Map designation of 2.23 +/- acres, identified by parcel number 19-3N-19-19390-001-0052, and 19-3N-19-19390-001-0050, located on the north side of U.S. Highway 90, approximately 500 feet east of Pine Street, more particularly described as:

Figure 1

The East 103 feet of Lot 2 and the West 57 feet of Lot 1, lying North of Highway 90, Block 1, W.B. HARBESON LUMBER COMPANY'S SUBDIVISION, according to plat thereof on file in Dead Book 69, Page 601, records of Walton County, Florida.

And

Figure 2

Commence at the Northwest corner of Lot 1, Block 1 of W.B. Harbeson Lumber Company Subdivision in Walton County, Florida for a point of reference; thence run S 77°26'38" E, along the North line of said Lot 1, 57.00 feet; thence S 12°41'54" W, 563.58 feet to a point on the Northerly right-of-way line of US Highway No. 90; thence N 77°18'28" W, along said Northerly right-of-way line, 45.00 feet to the Point of Beginning; thence departing said right-of-way line on a bearing of N 12°41'32" E, 150.00 feet; thence N 77°18'28" W, 115.00 feet; thence S 12°42'11" W 150.00 feet; thence S 77°26'38" E, along the Northerly Right-of-Way line, 115.00 feet to the Point of Beginning.

3. The proposed amendment is compatible with existing development in the area of the subject property.
4. The property is currently served with adequate public facilities.
5. Any development under this amendment will be required to meet all of the standards of the Walton County Comprehensive Plan and Land Development Code.
6. The property is currently designated as Urban Residential.
7. Upon the legally effective date of this Ordinance, the property will be designated as General Commercial.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES

All ordinances or parts of ordinances of the Code of Ordinances of Walton County, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. SEVERABILITY

Should any word, phrase, sentence, or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION V. EFFECTIVE DATE

This ordinance shall take effect as provided by law.

Duly enacted, by the Board of County Commissioners of Walton County, Florida,
at a special meeting on the 1st day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:

for 
Martha Ingle
Clerk of Court

By:


Larry Jones, Chair

Scott Brannon





Map ID # 10-003 & 10-004

From: Urban Residential
To: General Commercial

Acreeage = 2.23 +/-

Exhibit
A



Walton County Planning and Development Services
This GIS data is not a legal representation of the features depicted; any assumption of the legal status of this data is hereby disclaimed. Features are approximate, and are not necessarily accurate to mapping, surveying, or engineering standards.
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Rural Village

Pine St

Urban Residential

10-003

10-004

Municipal

US Hwy 90 W